

House File 77 - Introduced

HOUSE FILE 77

BY LOHSE and BRINK

A BILL FOR

1 An Act relating to requirements for and restrictions on special
2 minor's driver's licenses, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.194, subsection 2, paragraph a, Code
2 2021, is amended by adding the following new subparagraphs:

3 NEW SUBPARAGRAPH. (03) If the licensee attends a public
4 school or an accredited nonpublic school, the licensee may
5 operate a motor vehicle during the hours of 5:00 a.m. to 10:00
6 p.m. on any day when the licensee's school or school district
7 requires participation in compulsory remote-learning, including
8 online learning, electronic learning, distance learning, or
9 virtual learning, over the most direct and accessible route
10 between the licensee's residence and any location where
11 internet access is available, provided the licensee uses the
12 internet at the destination for the purpose of participating
13 in online classes, viewing or receiving assignments online,
14 completing assignments online, or submitting assignments
15 online, and the driving distance between the point of origin
16 and the destination is no more than ten miles.

17 NEW SUBPARAGRAPH. (003) If the licensee is employed,
18 the licensee may operate a motor vehicle during the hours of
19 5:00 a.m. to 10:00 p.m. over the most direct and accessible
20 route between the licensee's residence or school of enrollment
21 and the licensee's place of employment, provided the driving
22 distance between the licensee's place of employment and the
23 nearest point on the route on which the licensee is authorized
24 to travel under subparagraph (1), subparagraph division (a), or
25 subparagraph (2), subparagraph division (a), is no more than
26 fifteen miles.

27 Sec. 2. Section 321.194, subsection 2, paragraph a,
28 subparagraph (3), Code 2021, is amended to read as follows:

29 (3) To a service station for the purpose of refueling, so
30 long as the service station is the station closest to the route
31 on which the licensee is traveling under subparagraph (1), ~~or~~
32 (2), (03), or (003).

33 Sec. 3. Section 321.194, subsection 3, paragraph b, Code
34 2021, is amended to read as follows:

35 b. Upon receipt of a statement of necessity, the department

1 shall issue the driver's license provided the applicant is
2 otherwise eligible for issuance of the license. ~~The fact that~~
3 ~~the applicant resides at a distance less than one mile from the~~
4 ~~applicant's school of enrollment is prima facie evidence of the~~
5 ~~nonexistence of necessity for the issuance of a license.~~

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 Under current law, a person holding a special minor's
10 driver's license is allowed to operate a motor vehicle during
11 the hours of 5:00 a.m. to 10:00 p.m. between the licensee's
12 residence, schools of enrollment, bus stops, and sites,
13 facilities, or schools designated by the licensee's district
14 or school of enrollment for the accommodation of the school's
15 extracurricular activities, with certain limitations.

16 This bill allows a person holding a special minor's driver's
17 license to operate a motor vehicle during the hours of 5:00
18 a.m. to 10:00 p.m. on days when the licensee's school or school
19 district requires participation in compulsory remote-learning.
20 The bill permits a licensee to operate a motor vehicle over
21 the most direct and accessible route between the licensee's
22 residence and any location where internet access is available,
23 provided the licensee uses the internet at the destination for
24 school purposes and the route is no more than 10 miles.

25 The bill also allows a person holding a special minor's
26 driver's license who is employed to operate a motor vehicle
27 during the hours of 5:00 a.m. to 10:00 p.m. to the licensee's
28 place of employment, so long as the driving distance between
29 the licensee's place of employment and the nearest point on an
30 authorized route between the licensee's residence and school of
31 enrollment or the closest bus stop is no more than 15 miles.

32 The bill also allows a licensee to operate a motor vehicle to
33 a service station along the associated routes.

34 Under current law, an applicant for a special minor's
35 driver's license is required to submit a certification from the

1 applicant's school stating that a need exists for the license.
2 The fact that an applicant resides at a distance less than one
3 mile from the applicant's school of enrollment is prima facie
4 evidence of the nonexistence of necessity for the issuance of
5 the license. The bill strikes this exclusion.

6 A violation of Code section 321.194 is punishable by a
7 scheduled fine of \$70.